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## Textron Inc. (NYSE: TXT)

40 Westminster St.  
Providence, RI 02903-2596 ([Map](#))

Phone: 401-421-2800  
Fax: 401-421-2878

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### Officers & Employees

Title	Name	Age	Salary	Bonus
Chairman, President, and CEO	<a href="#">Lewis B. Campbell</a>	58	\$1,100,000	\$2,065,800
EVP and CFO	<a href="#">Theodore R. (Ted) French</a>	49	\$650,000	\$793,455
EVP, Administration, and Chief Human Resources Officer	<a href="#">John D. Butler</a>	55	\$480,000	\$585,936
EVP, Government, Strategy Development, and International, Communications and Investor Relations	<a href="#">Mary L. Howell</a>	51	\$470,000	\$573,729
EVP and Chief Innovation Officer	<a href="#">Kenneth C. (Ken) Bohlen</a>	49		
EVP and General Counsel	<a href="#">Terrence (Terry) O'Donnell</a>	61	\$470,000	\$573,729
SVP, Textron Six Sigma, Integrated Supply Chain and Transformation	<a href="#">Peter N. Riley</a>	45		
SVP and Corporate Controller	<a href="#">Richard L. (Dick) Yates</a>	53		
CEO, Bell Helicopter Textron Inc.	<a href="#">Michael A. (Mike) Redenbaugh</a>	45		
Chairman, President, and CEO, Cessna Aircraft Company	<a href="#">Jack J. Pelton</a>			
President and CEO, Kautex	<a href="#">Lothar R. Rosenkranz</a>			
President and COO, Textron Financial Corporation	<a href="#">Buell J. (Jay) Carter Jr.</a>			

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President, Greenlee Textron Inc.	<a href="#">J. Scott Hall</a>	
President, Industrial	<a href="#">Barclay S. Olson</a>	
President, Jacobsen	<a href="#">Jon R. Carlson</a>	
President, Textron Fastening Systems	<a href="#">Richard L. (Rick) Clayton</a>	41
President, Textron Fluid & Power Inc.	<a href="#">William M. (Bill) Ellis</a>	42
President, Textron Systems Corporation	<a href="#">Richard J. (Dick) Millman</a>	
Corporate Secretary and VP, Business Ethics	<a href="#">Frederick K. Butler</a>	
VP and Deputy General Counsel	<a href="#">Marianne Corr</a>	
VP and Deputy General Counsel	<a href="#">Arnold M. Friedman</a>	
VP, Human Resources and Benefits	<a href="#">George E. Metzger</a>	
VP and Treasurer	<a href="#">Mary F. Lovejoy</a>	
VP, Communications	<a href="#">Susan M. Tardanico</a>	
VP, Internal Audit	<a href="#">Michael A. Gardner</a>	
VP, Investor Relations	<a href="#">Douglas R. Wilburne</a>	
VP, Government Affairs	<a href="#">Robert O. Rowland</a>	
VP, Mergers and Acquisitions	<a href="#">John R. (Jack) Curran</a>	
VP, Strategy and Business Development	<a href="#">Stuart Grief</a>	43
VP, Taxes	<a href="#">Norman B. Richter</a>	
VP, Textron Six Sigma and Transformation	<a href="#">John W. Mayers</a>	

#### Board Members

Title	Name	Age
Chairman, President, and CEO	<a href="#">Lewis B. Campbell</a>	58

Director	<u>H. Jesse Arnelle</u>	71
Director	<u>Kathleen M. Bader</u>	54
Director	<u>R. Kerry Clark</u>	52
Director	<u>Ivor J. (Ike) Evans</u>	62
Director	<u>Lawrence K. (Larry) Fish</u>	60
Director	<u>Joe T. Ford</u>	67
Director	<u>Paul E. Gagné</u>	58
Director	<u>Dain M. Hancock</u>	64
Director	<u>Lord Charles D. Powell</u>	63
Director	<u>Brian H. Rowe</u>	73
Director	<u>Martin D. Walker</u>	72
Director	<u>Thomas B. Wheeler</u>	68

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- [Quantitative Report for TXT](#)  
(ValuEngine, Inc., Mar 1, 2005, Business Reports)
- [Aircraft Manufacturing: Financial Analysis Profiles](#)  
(BizMiner, May 31, 2005, Business Reports)
- [All Other General Purpose Machinery Manufacturing in the US](#)  
(IBISWorld, Mar 29, 2005, Business Reports)
- [North American Automotive Entertainment and Navigation Systems Market](#)  
(Frost & Sullivan, Feb 20, 2003, Business Reports)
- [In-Vehicle Applications: Capitalizing on Consolidating Interest in Specific Telematics Services](#)  
(Jupitermedia Corporation, Mar 14, 2003, Business Reports)

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- [Electro Manufacturing: July 2003](#)  
(Worldwide Videotex, Jul 1, 2003, Business Reports)
- [Automotive Aftermarket in North America to 2004 \(Study # 1323\)](#)  
(Freedonia Group, Inc., Sep 1, 2000, Business Reports)


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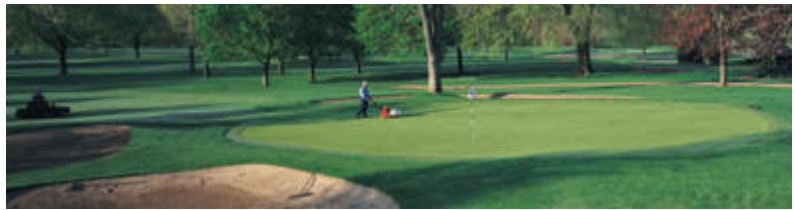
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# **EXHIBIT V**



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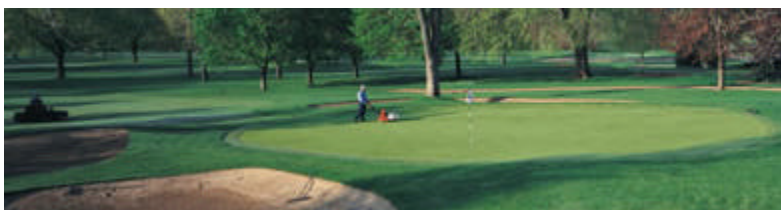
## Dealer Locator - Search Results

Your search for **Brouwer** returned the following result:

<b>Company Name</b>	Carlson Tractor & Equipment Co.	
<b>Phone Number</b>	651423-2222	
<b>Address</b>	Co Rd 42 & Hwy 3	
<b>City</b>	Rosemount	<b>22 miles from your location</b>
<b>State</b>	MN	<a href="#">View Map</a>
<b>Zip Code</b>	55068	<a href="#">Get Drive Directions</a>
<b>Fax Number</b>	651-423-4551	

### Additional Dealers in your Area

[Quinn Equipment Inc.](#)  
[Harrisonville Tractor Co., Inc.](#)



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## Dealer Locator - Search Results

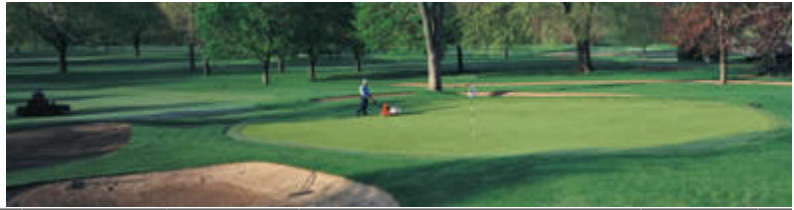
Your search for **Steiner** returned the following result:

<b>Company Name</b>	Cushman Motor Co	
<b>Phone Number</b>	612-333-3487	
<b>Address</b>	2909 E. Franklin Ave.	
<b>City</b>	Minneapolis	<b>6 miles from your location</b>
<b>State</b>	MN	<a href="#">View Map</a>
<b>Zip Code</b>	55406	<a href="#">Get Drive Directions</a>
<b>Fax Number</b>	612-333-5903	
<b>Email Address</b>	<a href="mailto:tim.commers@cushmanmotorco.com">tim.commers@cushmanmotorco.com</a>	

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## Dealer Locator - Search Results

Your search for **Cushman Turf Care** returned the following result:

The resulting dealer may be some distance from the area you entered. Dealers have sales people covering your area.

**Company Name** Davis Equipment Corporation  
**Phone Number** (800) 592-9513  
**Address** 3080 Centerville Rd.  
**City** Saint Paul  
**State** MN  
**Zip Code** 55117  
**Fax Number** (651) 484-8257  
**Email Address** [davis@davisequip.com](mailto:davis@davisequip.com)  
**Parts Manager**  
**Sales Manager**  
**Service Manager**

**18 miles from your location**

[View Map](#)

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**Company Name** Davis Equipment Corporation  
**Phone Number** (515) 270-8300  
**Address** 5225 NW Beaver Drive  
**City** Johnston  
**State** IA  
**Zip Code** 50131  
**Fax Number** (515) 270-0117  
**Email Address** [davis@davisequip.com](mailto:davis@davisequip.com)  
**Parts Manager** Kirby Burmeister  
**Sales Manager** Rich Vining  
**Service Manager** Kirby Burmeister

**240 miles from your location**

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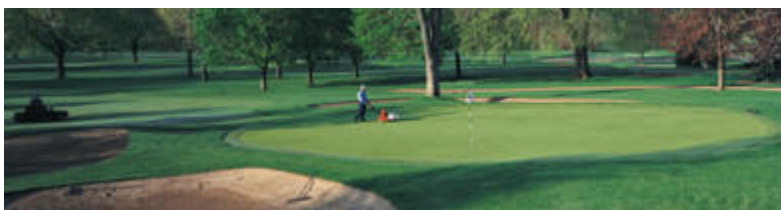
[Get Drive Directions](#)

**Company Name** Davis Equipment Corporation  
**Phone Number** (800) 747-8300  
**Address** 5225 NW Beaver Drive  
**City** Johnston  
**State** IA  
**Zip Code** 50131  
**Fax Number** (515) 270-0117  
**Email Address** [davis@davisequip.com](mailto:davis@davisequip.com)  
**Parts Manager**  
**Sales Manager**  
**Service Manager**

**240 miles from your location**

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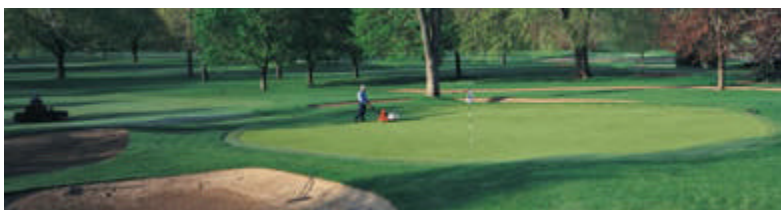


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## Dealer Locator - Search Results

Your search for **Jacobsen Commercial Grounds Care** returned the following result:

<b>Company Name</b>	Custom Products & Services	
<b>Phone Number</b>	(612) 782-6930	
<b>Address</b>	2919 Central Ave. N.E.	
<b>City</b>	Minneapolis	
<b>State</b>	MN	
<b>Zip Code</b>	55418	<b>12 miles from your location</b>
<b>Fax Number</b>	(612) 782-6923	<a href="#">View Map</a>
<b>Email Address</b>	<a href="mailto:custom-products@msn.com">custom-products@msn.com</a>	
<b>Web Address</b>	<a href="#">Get Driving Directions</a>	
<b>Parts Manager</b>	Michelle Blanchard	
<b>Sales Manager</b>	Mike Mika	
<b>Service Manager</b>	Dale Thomas	



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## Dealer Locator - Search Results

Your search for **Ryan Commercial Grounds Care** returned the following result:

Commercial Grounds Care Distributors have a network of local dealers, if you do not find a Commercial Grounds Care area, contact your closest Commercial Grounds Care Distributor to assist you with your sales and service needs.

<b>Company Name</b>	Magnuson Sodding Co.
<b>Phone Number</b>	612-869-6992
<b>Address</b>	6500 Cedar Avenue
<b>City</b>	Richfield
<b>State</b>	MN
<b>Zip Code</b>	55423
<b>Fax Number</b>	
<b>Email Address</b>	
<b>Web Address</b>	
<b>Parts Manager</b>	
<b>Sales Manager</b>	
<b>Service Manager</b>	

**2 miles from your location**

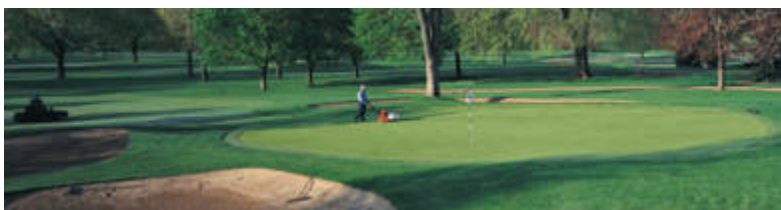
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[Bloomington RTL](#)

[Hiawatha Rents](#)



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## Dealer Locator - Search Results

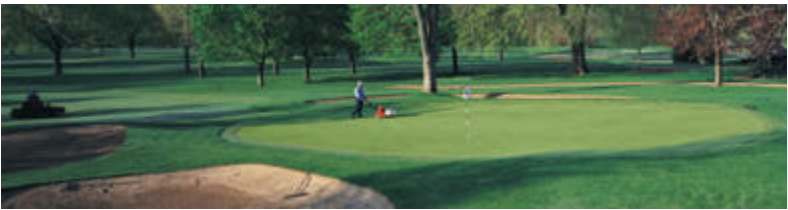
**Company Name** Long Lake Power Equipment  
**Phone Number** 952-449-9788  
**Address** 2065 W Wayzata Blvd.  
**City** Long Lake  
**State** MN  
**Zip Code** 55356  
**Fax Number**  
**Email Address**  
**Web Address**  
**Parts Manager**  
**Sales Manager**  
**Service Manager**

**23 miles from your location**

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Agronomy Expert  
Dr. Milton Engelke

## Dealer Locator - Search Results

Your search for **Bunton Commercial Grounds Care** returned the following result:

Commercial Grounds Care Distributors have a network of local dealers, if you do not find a Commercial Grounds Care distributor in your area, contact your closest Commercial Grounds Care Distributor to assist you with your sales and service needs.

Company Name	South Metro Rental
Phone Number	952-469-3257
Address	9300 202nd Street West
City	Lakeville
State	MN
Zip Code	55044
Fax Number	
Email Address	
Web Address	
Parts Manager	
Sales Manager	
Service Manager	

**20 miles from your location**  
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**Additional Dealers in your Area**

- JCB Bovey Spur
- LCB Bovey Spur

# **EXHIBIT W**

CHARLES H. BLAIR  
JOSEPH A. PAPP  
R. KEITH MILLER  
JAMES E. STEPHENSON  
BERNARD J. CANTON  
CHRISTOPHER M. BROOK  
RICHARD L. CARLSON  
RONALD L. HOFER  
PAUL A. KELLER  
D. GREGORY SCHWILEY  
RONALD W. WANGSROW  
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GARY L. NEWTON  
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ERIC J. SOSENEO  
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STANLEY M. ELMANAC  
ROBERT J. LENNAN, II  
DOUGLAS F. LALONE  
DAVID R. UTYKANSKI  
MONTE L. KALCOFF  
THOMAS T. MOSE

http://www.hdp.com

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ATTORNEYS AND COUNSELORS

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TELEFACSIMILE (248) 641-0270

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WASHINGTON, D.C.

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JEFFREY M. COX  
CHRISTOPHER DIVINE  
BARRETT C. DONLEY  
CHRISTOPHER A. ELSER  
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MICHAEL MALINAK  
RYAN W. MASSEY  
DAVID A. McLAUGHLIN  
JOHN A. MILLER  
GEORGE O. MOUSTAKAS  
DOUGLAS A. MULLIN  
GEORGE T. SCHOFF  
PRESTON H. SMITHMAN  
JEFFREY L. SNYDER  
JOSEPH L. STEVENSON  
BRYAN E. WADE  
DONALD B. WALKER  
GREGORY A. WALTERS  
RICHARD W. WALKER  
MICHAEL D. ZALOSKY  
WILLIAM A. ZIMMERLI

## **COUNSEL**

ROBERT J. WALLACE  
CHARLES R. CIECK  
DONALD F. OCHTER

J. KING HARNESS  
1920-1977

ARTHUR W. DICKEY  
1929-1999

HODGSON S. PIERCE  
1927-1997

September 5, 2000

President  
The Toro Company  
8111 Lyndale Avenue South  
Bloomington, MN 55420

Via Fax (952-887-7291)  
and Federal Express

Re: U.S. Patent No. 6,047,530 granted April 11, 2000 and entitled  
"Gang-Type Rotary Lawnmower" assigned to Textron Inc.

9174 0000 1674  
TORO

Dear Sir:

We represent the Turf Care Group of Textron Inc. in intellectual property matters. Textron is the owner of U.S. Patent No. 6,047,530 identified above. I am sending a copy of this patent to you for your reference by Federal Express with the original of this letter.

We have been advised that your company is contemplating the manufacture of and/or may be starting to make and sell or at least offer for sale a riding mower with multiple rotary cutting heads that includes the key features of Textron's patented mower. Specifically, the Toro® Groundsmaster® 3500-D riding mowers certainly seem to be covered by one or more claims of Patent No. 6,047,530.

Textron's Turf Care Group is willing to discuss an amicable resolution to this matter. However, given the importance of this matter, Textron requires a prompt response. Therefore, Textron looks forward to hearing from Toro or its attorneys no later than Friday, September 15, 2000. You or one of your officers may contact Mr. Thomas G. Stuart, Vice-President of Engineering at Textron Turf Care to discuss this situation. He can be reached at his office in Racine, Wisconsin. His direct dial line is 262-635-1118. Or you may have your attorney contact me directly at my direct dial line, which is 248-641-1235. We will await your call on this matter.

Sincerely yours,  
Harness, Dickey & Pierce, P.L.C.

*Robert S. Nolan*  
Robert S. Nolan

RSN/ir

Enclosure: U.S. Patent No. 6,047,530  
cc: Mr. Thomas G. Stuart (via fax)  
Textron Legal Dept.  
David P. Utykanski, Esq.



US006047530A

**United States Patent** [19]  
**Bednar**

[11] **Patent Number:** 6,047,530  
 [45] **Date of Patent:** Apr. 11, 2000

[54] **GANG-TYPE ROTARY LAWN MOWER**

**FOREIGN PATENT DOCUMENTS**

[75] **Inventor:** Richard D. Bednar, Lake Mills, Wis.

0 842 700 11/1989 European Pat. Off.  
 0 586 836 11/1993 European Pat. Off.  
 7804519 8/1978 Netherlands  
 88/05998 8/1988 WIPO.

[73] **Assignee:** Textron, Inc., Providence, R.I.

**OTHER PUBLICATIONS**

[21] **Appl. No.:** 08/794,141

[22] **Filed:** Feb. 3, 1997

[51] **Int. Cl.7** A01D 34/66

[52] **U.S. Cl.** 56/6; 56/13.6; 56/DIG. 3;  
 56/DIG. 10; 56/DIG. 14

[58] **Field of Search** 56/6, 7, 13.6, 13.7,  
 56/13.8, 255, 295, DIG. 3, DIG. 9, DIG. 10,  
 DIG. 11, DIG. 12, DIG. 13, DIG. 14

Mountfield "Domestic Grass Machinery" (Date unknown).  
 Turf Blazer 1040 Diesel, Howard Price Turf Equipment  
 (advertising brochure) (Date unknown).

**Primary Examiner**—Robert E. Fennito  
**Attorney, Agent, or Firm**—Michael Best & Friedrich LLP

[57] **ABSTRACT**

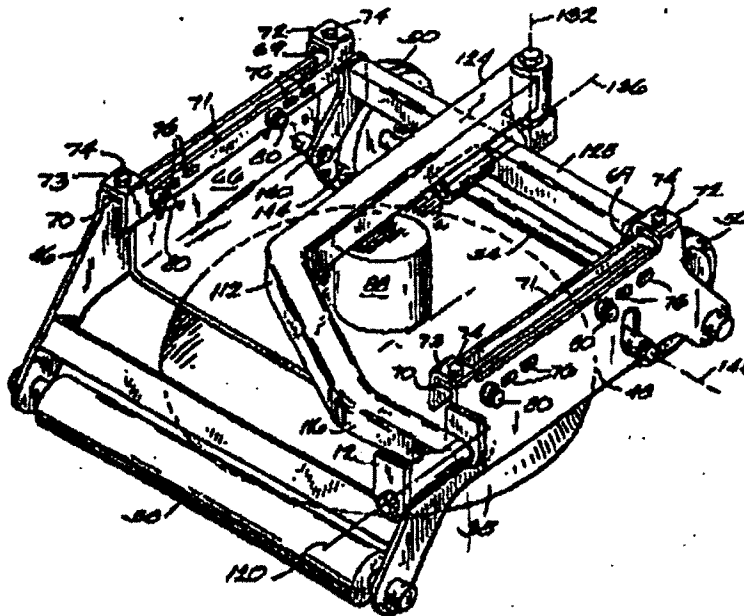
[56] **References Cited**

**U.S. PATENT DOCUMENTS**

1,961,710	6/1934	Pol	56/7
2,304,259	4/1950	Ford	56/25.4
2,936,561	5/1960	Crimes	56/7
3,070,938	1/1963	Winget	
3,118,266	1/1964	Colburn	56/25.4
3,131,079	6/1964	Dunn	56/6
4,308,713	1/1982	Jones	56/11.9
4,901,507	7/1990	Cracraft	56/6
5,137,100	8/1992	Scott et al.	180/6.48
5,280,895	1/1994	Nunes, Jr. et al.	56/DIG. 14 X
5,293,729	3/1994	Curry et al.	56/7
5,297,378	3/1994	Smith	56/7
5,343,680	9/1994	Reichen et al.	56/2.68
5,355,665	10/1994	Peter	56/15.8
5,412,932	5/1995	Schweizer	56/24.9
5,429,565	6/1995	Smith	280/411.1
5,481,857	1/1996	Umemoto et al.	56/11.6
5,497,604	3/1996	Lonn	56/10.2 H

Agang-type rotary lawn mower including a frame supported by wheels for movement over the ground, a power source which is mounted on the frame and which drives at least two of the wheels, an operator's seat mounted on the frame, a steering system enabling the operator to steer the lawn mower, at least two side-by-side front rotary cutting deck assemblies mounted on the frame, the front deck assemblies defining a gap between adjacent front deck assemblies, and at least one rear rotary cutting deck assembly mounted on the frame behind the front deck assemblies, each rear deck assembly being aligned with a respective gap between adjacent front deck assemblies, each of the front and rear deck assemblies including a single-spindle rotating deck defining a downwardly opening space, a single spindle mounted for rotation about a generally vertical axis within the space, and at least one cutting blade mounted on the spindle for rotation therewith.

19 Claims, 5 Drawing Sheets





# **EXHIBIT X**

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The Toro Company

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8111 Lyndale Avenue South  
Bloomington, MN 55420-1196  
952/887-8245

Timothy A. Ford  
Group Vice President

August 1, 2003

Mr. Jim Berkeley  
Director of Product Safety  
Textron  
11524 Wilmar Blvd.  
Charlotte NC 28273

**Re: Textron's Rear Roller Patents**

Dear Jim:

Enclosed are the materials you requested, along with a memo from Toro's in-house attorney (Larry Buckley) to me. As you'll see toward the end of Larry's memo, he might have a few more documents for you early next week. I've asked Larry to send any such documents to you directly, as I will be out of the office on vacation starting today and returning August 18th. Thanks again for your patience.

Kind Regards,

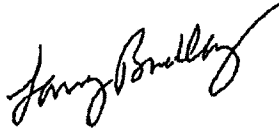


Tim Ford

dli

enc.

To: Tim Ford  
From: Larry Buckley  
Re: Textron Rear Roller Patents  
Date: 7/31/03



This is in response to your request for the "prior art" we have that proves out the invalidity of the Textron Rear Roller Patents.

I previously provided the Lesco statements, personally taken by me, but given their importance I've enclosed them again (labeled Exhibit 1). They show that Lesco had a 5-plex rotary mower, including single-spindled, full-width rear-rollered decks, at the 1990 GCSAA Show. While it is true that I have had difficulty documenting this mower, in my opinion a court would be persuaded by the consistency of the Lesco statements, coupled with the fact that the Lesco representatives are "disinterested" and thus credible in a legal setting. If this matter were to be litigated, I'm confident we could uncover documentation of the Lesco mower; right now, however, Lesco is understandably hesitant to put a lot of effort into locating prints, etc., of the mower.

I've also enclosed a photocopy of a Nunes product brochure, labeled Exhibit 2. This brochure shows that a gang of single-spindled mowers is old in the art. Now, it may very well be that Textron submitted something like this reference to the U.S. Patent Office during the processing of their patent application(s), but the fact remains that this sort of mower preceded Textron's development work. Also, importantly, Toro personnel have told me that such mowers were definitely used to mow golf course rough, years prior to Textron's filing date, contrary to the assertion of Mr. Bednar, Textron's inventor, in his "Rule 132" Affidavit (submitted to the Patent Office by Textron's attorney to convince the Examiner to grant the patent). Finally, I recall hearing that Nunes tried rear rollers on its single-spindled decks well prior to Textron's filing date, but I can't find anything in my file to substantiate this claim.

The Stuchl patent (U.S. Patent 4,304,086, labeled Exhibit 3) shows a ganged rotary mower with a full-width rear roller supporting each deck. While the illustrated decks are multi-spindled, those skilled in the art would surely appreciate that single-spindled decks could also be used, especially in light of the Nunes device described above.

Finally, I've enclosed multiple brochures (Exhibit 4) and the like from various U.K. companies. Roller mowers (rotary mowers with full-width rear rollers) have been used in the U.K. for decades, and we can readily prove that it is common knowledge that such mowers are useful for striping (they call it "banding") and furthermore that such mowers are often used to maintain golf courses, including the rough areas.

Jim Miller, the outside patent attorney I've had working on this, has additional references at his office. I'm meeting with Jim on Monday, August 4, and can supplement the references cited above if need be.

Let me know if you have any questions or concerns. My extension is x8909.

## EXHIBIT 1

To: Tim Ford  
From: Larry Buckley  
Date: 3/28/03  
Re: Textron Patents on Rear Rollers

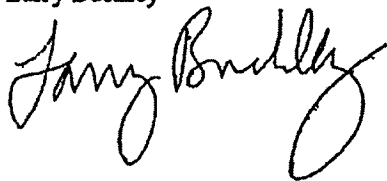
Tim, attached is some additional information on the LESCO mower that they showed at the 1990 Golf Show. The information is as follows:

1. Photograph of sample LESCO 500 reel mower, the tractor of which was used to construct the LESCO 5-plex rotary with full-width rear rollers, that was shown at the 1990 Show.
2. Summary of information from Pete Thompson, LESCO National Service Manager in 1990.
3. Summary of information from Fred Eberlein, former LESCO employee in 1990.
4. Summary of information from Steve Vincent, LESCO salesman in 1990.
5. Summary of information from James Seigfreid, LESCO's Vice President of Equipment Division in 1990.

Pete Thompson is going to dig through LESCO's archives to see if there are photographs, etc. of the 5-plex rotary with full-width rear rollers; and if so he said he would send copies to me; upon receipt I will in turn copy you.

Finally, please note that we have additional prior art, some of which has already been provided to Textron, which would be used to supplement the LESCO information, if need be.

Larry Buckley



# **EXHIBIT Y**



The Toro Company

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November 3, 2000

Cover letter sent by facsimile: (248) 641-0270; original with enclosure sent by mail

Robert S. Nolan, Esq.  
Harness, Dickey & Pierce, P.L.C.  
5445 Corporate Drive  
Troy, MI 48098

**Re: U.S. Patent No. 6,047,530**

Dear Bob:

This is in response to your recent letter regarding the '530 patent. Thank you for your patience.

We've studied the patent and its file wrapper. For the following reasons, among others, we have concluded that no valid and enforceable claims cover Toro's Groundsmaster 3500 mower:

- 1) As I'm sure you recognize, the history of prosecution developed very close art. Ultimately, a §132 affidavit was critical to convincing the Examiner to allow claims. The §132 affidavit represented that no one prior to Applicant had recognized the desirability of using, or figured out how to use, gang-type rotary mowers to cut golf course rough. That critical representation was not true. Gang-type rotary mowers have been used to cut golf course rough for many years, dating back to the 80's if not earlier. I'm sure representatives of Textron can confirm the lack of factual basis for the §132 representation, but for your convenience reference is made to the Toro Groundsmaster 580-D and Ransomes HR-5111 mowers.
- 2) Although the Patent Office Examiner was not so advised, vehicle-mounted rotary cutting decks with rear rollers are old. For example, see the enclosed Steiner brochure (dated 1997 but showing mowers of a type manufactured for years).

I can assure you that Toro is very respectful of Textron's intellectual property. We do not take our competitors' patents lightly. But in this particular case, it is abundantly clear that the '530 patent was issued with overly broad claims.

Because of the results of our investigation and this letter, we assume the matter is closed. However, if you think significant issues remain, kindly direct future communications to me. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Buckley", written over the typed name and title.

R. Lawrence Buckley  
Division Counsel

CORR2000.RLB/30

Enclosure      Steiner brochure